

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

**LISA MARIE HORNE**

Applicant for Registered Nurse License

Respondent

Case No. 2012 – 403

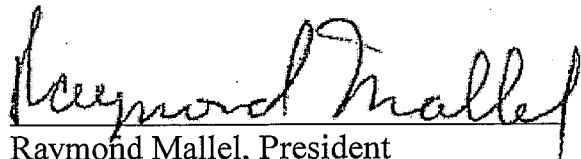
OAH No. 2012040099

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **November 30, 2012.**

IT IS SO ORDERED **October 31, 2012.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 KIM M. SETTLES  
Deputy Attorney General  
4 State Bar No. 116945  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
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7 *Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues  
Against:

13 **LISA MARIE HORNE**

14 Respondent.

Case No. 2012-403

OAH No. 2012040099

15 **STIPULATED SETTLEMENT AND**  
16 **DISCIPLINARY ORDER**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the  
21 Board of Registered Nursing. She brought this action solely in her official capacity and is  
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
23 Kim M. Settles, Deputy Attorney General.

24 2. Respondent Lisa Marie Horne (Respondent) is represented by James A. McElroy,  
25 whose address is 605 Market Street, Suite 605, San Francisco, California 94105.

26 3. On or about June 28, 2011, Respondent filed an application dated June 27, 2011, with  
27 the Board of Registered Nursing to obtain a Registered Nurse License.  
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1 Registered Nursing may communicate directly with the Board regarding this stipulation and  
2 settlement, without notice to or participation by Respondent. By signing the stipulation,  
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
5 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall  
6 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
7 between the parties, and the Board shall not be disqualified from further action by having  
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Settlement  
10 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
11 effect as the originals.

12 12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
15 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
16 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
17 writing executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
19 the Board may, without further notice or formal proceeding, issue and enter the following  
20 Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that the application of Respondent Lisa Marie Horne for  
23 licensure is hereby granted. Upon successful completion of the licensure examination and all  
24 other licensing requirements, a license shall be issued to Respondent and immediately revoked.  
25 The revocation will be stayed and Respondent shall be placed on probation for a period of three  
26 (3) years on the following conditions:

27 **Severability Clause.** Each condition of probation contained herein is a separate and  
28 distinct condition. If any condition of this Order, or any application thereof, is declared

unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

**Criminal Court Orders.** If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when she resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where she has ever been

1 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further  
2 provide information regarding the status of each license and any changes in such license status  
3 during the term of probation. Respondent shall inform the Board if she applies for or obtains a  
4 new nursing license during the term of probation.

5       **5. Submit Written Reports.** Respondent, during the period of probation, shall  
6 submit or cause to be submitted such written reports/declarations and verification of actions under  
7 penalty of perjury, as required by the Board. These reports/declarations shall contain statements  
8 relative to Respondent's compliance with all the conditions of the Board's Probation Program.  
9 Respondent shall immediately execute all release of information forms as may be required by the  
10 Board or its representatives.

11       Respondent shall provide a copy of this Decision to the nursing regulatory agency in  
12 every state and territory in which he has a registered nurse license.

13       **6. Function as a Registered Nurse.** Respondent, during the period of probation,  
14 shall engage in the practice of registered nursing in California for a minimum of 24 hours per  
15 week for 6 consecutive months or as determined by the Board.

16       For purposes of compliance with the section, "engage in the practice of registered  
17 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work  
18 in any non-direct patient care position that requires licensure as a registered nurse.

19       The Board may require that advanced practice nurses engage in advanced practice nursing  
20 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

21       If Respondent has not complied with this condition during the probationary term, and  
22 Respondent has presented sufficient documentation of his good faith efforts to comply with this  
23 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
24 extension of Respondent's probation period up to one year without further hearing in order to  
25 comply with this condition. During the one year extension, all original conditions of probation  
26 shall apply.

27       **7. Employment Approval and Reporting Requirements.** Respondent shall obtain  
28 prior approval from the Board before commencing or continuing any employment, paid or

1 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
2 performance evaluations and other employment related reports as a registered nurse upon request  
3 of the Board.

4 Respondent shall provide a copy of this Decision to her employer and immediate  
5 supervisors prior to commencement of any nursing or other health care related employment.

6 In addition to the above, Respondent shall notify the Board in writing within seventy-two  
7 (72) hours after she obtains any nursing or other health care related employment. Respondent  
8 shall notify the Board in writing within seventy-two (72) hours after she is terminated or  
9 separated, regardless of cause, from any nursing, or other health care related employment with a  
10 full explanation of the circumstances surrounding the termination or separation.

11 8. **Supervision.** Respondent shall obtain prior approval from the Board regarding  
12 Respondent's level of supervision and/or collaboration before commencing or continuing any  
13 employment as a registered nurse, or education and training that includes patient care.

14 Respondent shall practice only under the direct supervision of a registered nurse in good  
15 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods  
16 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are  
17 approved.

18 Respondent's level of supervision and/or collaboration may include, but is not limited to  
19 the following:

20 (a) Maximum - The individual providing supervision and/or collaboration is present in  
21 the patient care area or in any other work setting at all times.

22 (b) Moderate - The individual providing supervision and/or collaboration is in the  
23 patient care unit or in any other work setting at least half the hours Respondent works.

24 (c) Minimum - The individual providing supervision and/or collaboration has person-  
25 to-person communication with Respondent at least twice during each shift worked.

26 (d) Home Health Care - If Respondent is approved to work in the home health care  
27 setting, the individual providing supervision and/or collaboration shall have person-to-person  
28 communication with Respondent as required by the Board each work day. Respondent shall

1 maintain telephone or other telecommunication contact with the individual providing supervision  
2 and/or collaboration as required by the Board during each work day. The individual providing  
3 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to  
4 patients' homes visited by Respondent with or without Respondent present.

5       **9. Employment Limitations.** Respondent shall not work for a nurse's registry, in  
6 any private duty position as a registered nurse, a temporary nurse placement agency, a traveling  
7 nurse, or for an in-house nursing pool.

8       Respondent shall not work for a licensed home health agency as a visiting nurse unless the  
9 registered nursing supervision and other protections for home visits have been approved by the  
10 Board. Respondent shall not work in any other registered nursing occupation where home visits  
11 are required.

12       Respondent shall not work in any health care setting as a supervisor of registered nurses.  
13 The Board may additionally restrict Respondent from supervising licensed vocational nurses  
14 and/or unlicensed assistive personnel on a case-by-case basis.

15       Respondent shall not work as a faculty member in an approved school of nursing or as an  
16 instructor in a Board approved continuing education program.

17       Respondent shall work only on a regularly assigned, identified and predetermined  
18 worksite(s) and shall not work in a float capacity.

19       If Respondent is working or intends to work in excess of 40 hours per week, the Board  
20 may request documentation to determine whether there should be restrictions on the hours of  
21 work.

22       **10. Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and  
23 successfully complete a course(s) relevant to the practice of registered nursing no later than six  
24 months prior to the end of her probationary term.

25       Respondent shall obtain prior approval from the Board before enrolling in the course(s).  
26 Respondent shall submit to the Board the original transcripts or certificates of completion for the  
27 above required course(s). The Board shall return the original documents to Respondent after  
28 photocopying them for its records.



1           **11. Violation of Probation.** If Respondent violates the conditions of her probation,  
2 the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay  
3 order and impose the stayed discipline (revocation/suspension) of Respondent's license.

4           If during the period of probation, an accusation or petition to revoke probation has been  
5 filed against Respondent's license or the Attorney General's Office has been requested to prepare  
6 an accusation or petition to revoke probation against Respondent's license, the probationary  
7 period shall automatically be extended and shall not expire until the accusation or petition has  
8 been acted upon by the Board.

9           **12. License Surrender.** During Respondent's term of probation, if she ceases  
10 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
11 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
12 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
13 take any other action deemed appropriate and reasonable under the circumstances, without further  
14 hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no  
15 longer be subject to the conditions of probation.

16           Surrender of Respondent's license shall be considered a disciplinary action and shall  
17 become a part of Respondent's license history with the Board. A registered nurse whose license  
18 has been surrendered may petition the Board for reinstatement no sooner than the following  
19 minimum periods from the effective date of the disciplinary decision:

20           (1) Two years for reinstatement of a license that was surrendered for any reason other  
21 than a mental or physical illness; or

22           (2) One year for a license surrendered for a mental or physical illness.

23           **13. Physical Examination.** Within 45 days of the effective date of this Decision,  
24 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician  
25 assistant, who is approved by the Board before the assessment is performed, submit an  
26 assessment of the Respondent's physical condition and capability to perform the duties of a  
27 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If  
28 medically determined, a recommended treatment program will be instituted and followed by the

1 Respondent with the physician, nurse practitioner, or physician assistant providing written reports  
2 to the Board on forms provided by the Board.

3 If Respondent is determined to be unable to practice safely as a registered nurse, the  
4 licensed physician, nurse practitioner, or physician assistant making this determination shall  
5 immediately notify the Board and Respondent by telephone, and the Board shall request that the  
6 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall  
7 immediately cease practice and shall not resume practice until notified by the Board. During this  
8 period of suspension, Respondent shall not engage in any practice for which a license issued by  
9 the Board is required until the Board has notified Respondent that a medical determination  
10 permits Respondent to resume practice. This period of suspension will not apply to the reduction  
11 of this probationary time period.

12 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
13 requirement, Respondent shall immediately cease practice and shall not resume practice until  
14 notified by the Board. This period of suspension will not apply to the reduction of this  
15 probationary time period. The Board may waive or postpone this suspension only if significant,  
16 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
17 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
18 Only one such waiver or extension may be permitted.

19 **14. Participate in Treatment/Rehabilitation Program for Chemical Dependence.**

20 Respondent, at her expense, shall successfully complete during the probationary period or shall  
21 have successfully completed prior to commencement of probation a Board-approved  
22 treatment/rehabilitation program of at least six months duration. As required, reports shall be  
23 submitted by the program on forms provided by the Board. If Respondent has not completed a  
24 Board-approved treatment/rehabilitation program prior to commencement of probation,  
25 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a program.  
26 If a program is not successfully completed within the first nine months of probation, the Board  
27 shall consider Respondent in violation of probation.

28 Based on Board recommendation, each week Respondent shall be required to attend at

1 least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
2 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by  
3 the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent  
4 shall be added. Respondent shall submit dated and signed documentation confirming such  
5 attendance to the Board during the entire period of probation. Respondent shall continue with the  
6 recovery plan recommended by the treatment/rehabilitation program or a licensed mental health  
7 examiner and/or other ongoing recovery groups.

8       **15. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall  
9 completely abstain from the possession, injection or consumption by any route of all controlled  
10 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same  
11 are ordered by a health care professional legally authorized to do so as part of documented  
12 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)  
13 days, by the prescribing health professional, a report identifying the medication, dosage, the date  
14 the medication was prescribed, the Respondent's prognosis, the date the medication will no  
15 longer be required, and the effect on the recovery plan, if appropriate.

16       Respondent shall identify for the Board a single physician, nurse practitioner or physician  
17 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and  
18 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-  
19 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report  
20 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances  
21 considered addictive have been prescribed, the report shall identify a program for the time limited  
22 use of any such substances.

23       The Board may require the single coordinating physician, nurse practitioner, or physician  
24 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive  
25 medicine.

26       **16. Submit to Tests and Samples.** Respondent, at her expense, shall participate in a  
27 random, biological fluid testing or a drug screening program which the Board approves. The  
28 length of time and frequency will be subject to approval by the Board. Respondent is responsible

1 for keeping the Board informed of Respondent's current telephone number at all times.

2 Respondent shall also ensure that messages may be left at the telephone number when she is not  
3 available and ensure that reports are submitted directly by the testing agency to the Board, as  
4 directed. Any confirmed positive finding shall be reported immediately to the Board by the  
5 program and Respondent shall be considered in violation of probation.

6 In addition, Respondent, at any time during the period of probation, shall fully cooperate  
7 with the Board or any of its representatives, and shall, when requested, submit to such tests and  
8 samples as the Board or its representatives may require for the detection of alcohol, narcotics,  
9 hypnotics, dangerous drugs, or other controlled substances.

10 If Respondent has a positive drug screen for any substance not legally authorized and not  
11 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board  
12 files a petition to revoke probation or an accusation, the Board may suspend Respondent from  
13 practice pending the final decision on the petition to revoke probation or the accusation. This  
14 period of suspension will not apply to the reduction of this probationary time period.

15 If Respondent fails to participate in a random, biological fluid testing or drug screening  
16 program within the specified time frame, Respondent shall immediately cease practice and shall  
17 not resume practice until notified by the Board. After taking into account documented evidence  
18 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may  
19 suspend Respondent from practice pending the final decision on the petition to revoke probation  
20 or the accusation. This period of suspension will not apply to the reduction of this probationary  
21 time period.

22 17. **Mental Health Examination.** Respondent shall, within 45 days of the effective  
23 date of this Decision, have a mental health examination including psychological testing as  
24 appropriate to determine her capability to perform the duties of a registered nurse. The  
25 examination will be performed by a psychiatrist, psychologist or other licensed mental health  
26 practitioner approved by the Board. The examining mental health practitioner will submit a  
27 written report of that assessment and recommendations to the Board. All costs are the  
28 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a

1 result of the mental health examination will be instituted and followed by Respondent.

2 If Respondent is determined to be unable to practice safely as a registered nurse, the  
3 licensed mental health care practitioner making this determination shall immediately notify the  
4 Board and Respondent by telephone, and the Board shall request that the Attorney General's  
5 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
6 practice and may not resume practice until notified by the Board. During this period of  
7 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
8 is required, until the Board has notified Respondent that a mental health determination permits  
9 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
10 probationary time period.

11 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
12 requirement, Respondent shall immediately cease practice and shall not resume practice until  
13 notified by the Board. This period of suspension will not apply to the reduction of this  
14 probationary time period. The Board may waive or postpone this suspension only if significant,  
15 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
16 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
17 Only one such waiver or extension may be permitted.

18 18. **Therapy or Counseling Program.** Respondent, at her expense, shall participate  
19 in an on-going counseling program until such time as the Board releases her from this  
20 requirement and only upon the recommendation of the counselor. Written progress reports from  
21 the counselor will be required at various intervals.

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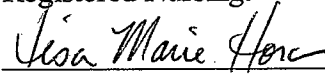
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1 ACCEPTANCE

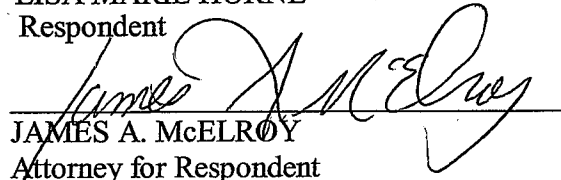
2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, James A. McElroy. I understand the stipulation and the effect it  
4 will have on my Registered Nurse License. I enter into this Stipulated Settlement and  
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
6 Decision and Order of the Board of Registered Nursing.

7 DATED: 07/31/12



8 LISA MARIE HORNE  
Respondent

9 DATED: 7-31-12

  
JAMES A. McELROY  
Attorney for Respondent

11 ENDORSEMENT

12 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
13 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
14 Affairs.

15 Dated: 8/10/12

16 Respectfully submitted,

17 KAMALA D. HARRIS  
Attorney General of California  
18 DIANN SOKOLOFF  
Supervising Deputy Attorney General

19 

20 KIM M. SETTLES  
Deputy Attorney General  
21 Attorneys for Complainant

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**Exhibit A**

**Statement of Issues No. 2012-403**

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 KIM M. SETTLES  
Deputy Attorney General  
4 State Bar No. 116945  
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6 Telephone: (510) 622-2138  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
Against:

Case No. **2012-403**

**STATEMENT OF ISSUES**

12 **LISA MARIE HORNE**  
13 **a.k.a. Lisa M. Beauchamp**  
14 **509 Shields Street**  
**San Francisco, CA 94132**

15 *Respondent.*

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Statement of Issues solely in  
20 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about June 28, 2011, the Board of Registered Nursing, Department of  
23 Consumer Affairs received an application for a Registered Nurse License from Lisa Marie Horne,  
24 a.k.a. Lisa M. Beauchamp (Respondent). On or about June 27, 2011, Lisa Marie Horne, a.k.a.  
25 Lisa M. Beauchamp certified under penalty of perjury to the truthfulness of all statements,  
26 answers, and representations in the application. The Board denied the application on  
27 August 22, 2011.

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1 himself or herself, any other person, or the public or to the extent that such use impairs his or her  
2 ability to conduct with safety to the public the practice authorized by his or her license.

3 6. Section 480 of the Code states:

4 "(a) A board may deny a license regulated by this code on the grounds that the applicant  
5 has one of the following:

6 "(1) Been convicted of a crime. A conviction within the meaning of this section means a  
7 plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a  
8 board is permitted to take following the establishment of a conviction may be taken when the  
9 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when  
10 an order granting probation is made suspending the imposition of sentence, irrespective of a  
11 subsequent order under the provisions of Section 1203.4 of the Penal Code.

12 "(2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially  
13 benefit himself or herself or another, or substantially injure another.

14 "(3) Done any act that if done by a licensee of the business or profession in question,  
15 would be grounds for suspension or revocation of license."

16 7. California Code of Regulations, title 16, section 1444, states:

17 "A conviction or act shall be considered to be substantially related to the qualifications;  
18 functions or duties of a registered nurse if to a substantial degree it evidences the present or  
19 potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
20 safety, or welfare."

21 FIRST CAUSE FOR DENIAL OF APPLICATION

22 (Conviction of a Crime)

23 8. Respondent's application is subject to denial under sections 2736, 480, subdivision  
24 (a)(1) and 2761, subdivision (f), in that she was convicted of the following crimes that are  
25 substantially related to the qualifications, functions, and duties of a registered nurse:

26 a. On or about October 12, 1989, in San Francisco City and County Municipal Court,  
27 Case No. 1178524, entitled *People v. Lisa M. Beauchamp*, Respondent was convicted by the  
28 court on her plea of guilty to violating Penal Code sections 484, subdivision (a) (theft) and 490.5

1 (petty theft), a misdemeanor. Respondent was sentenced to 60 days confinement in the county  
2 jail.

3 b. On or about February 16, 1990, in San Francisco City and County Municipal Court,  
4 Case No. 1214209, entitled *People v. Lisa Beauchamp*, Respondent was convicted by the court on  
5 her plea of nolo contendere to violating Penal Code section 666 (petty theft with prior  
6 conviction), a misdemeanor. Respondent was sentenced to 60 days confinement in the county  
7 jail.

8 c. On or about June 9, 1994, in Alameda County Municipal Court, Case No. 141423,  
9 entitled *People v. Lisa M. Beauchamp*, Respondent was convicted by the court on her plea of nolo  
10 contendere to violating Penal Code section 484, subdivision (a) (theft), a misdemeanor.  
11 Respondent was sentenced to three years probation and ordered to pay \$1,000.00 in restitution.

12 d. On or about March 6, 1995, in Marin County Municipal Court, Case No.  
13 SC073360A, entitled *People v. Lisa Marie Beauchamp*, Respondent was convicted by the court  
14 on her plea of guilty to violating Penal Code section 666 (petty theft with prior convictions), a  
15 misdemeanor. Respondent was sentenced to nine months confinement in the county jail and two  
16 years probation. As a term of probation, Respondent was ordered to participate in a treatment  
17 program as directed by her probation officer. Respondent was also ordered to submit to chemical  
18 testing, at the request of any probation officer or peace officer, to determine her drug and/or  
19 alcohol content.

20 e. On or about June 17, 1996, in San Mateo County Municipal Court, Case No.  
21 CRNM260996A, entitled *People v. Lisa Marie Beauchamp*, Respondent was convicted by the  
22 court on her plea of nolo contendere to violating Penal Code sections 666 and 17, subdivision  
23 (b)(4) (petty theft with prior convictions), a misdemeanor. Respondent was sentenced to 180  
24 days confinement in the county jail and two years probation. Respondent was given the option to  
25 serve her jail sentence in a 12-step program. On September 9, 1996, the Court found that  
26 Respondent had failed to submit proof of enrollment in a 12-step program. On or about June 25,  
27 1997, after continued failure to show proof of enrollment, Respondent's probation was modified.  
28 The Court ordered Respondent to attend fifty Narcotics Anonymous meetings within 150 days.

1                                    SECOND CAUSE FOR DENIAL OF APPLICATION

2                    (Committed Acts Which if Done by a Licentiate – Substantially Related Offense)

3            9.      Respondent's application is subject to denial under Code sections 2736 and 480,  
4      subdivision (a)(3), in that Respondent committed acts which if done by a licentiate of the  
5      profession would constitute grounds for discipline as set forth in paragraph 8, above. This  
6      conduct would constitute grounds for discipline under Code section 2761, subdivision (a)  
7      (unprofessional conduct) in conjunction with 2761, subdivision (f) (conviction of a substantially  
8      related offense).

9                                    THIRD CAUSE FOR DENIAL OF APPLICATION

10                    (Dishonesty, Fraud, or Deceit)

11            10.     Respondent's application is subject to denial under sections 2736 and 480,  
12      subdivision (a)(2), in that Respondent committed acts involving dishonesty, fraud or deceit with  
13      the intent to substantially benefit herself or another, or substantially injure another, as set forth in  
14      paragraph 8, above.

15                                    FOURTH CAUSE FOR DENIAL OF APPLICATION

16                    (Unprofessional Conduct – Use of Drugs)

17            11.     Respondent's application is subject to denial under Code section 2761, subdivision  
18      (a), on the grounds of unprofessional conduct as defined in section 2762, subdivision (b), in that  
19      Respondent admits that she became addicted to a controlled substance (crack cocaine) in 1986.  
20      Respondent further admits that she stole merchandise from department stores in order to sell the  
21      products and obtain crack cocaine. Respondent alleges that she entered a 12-Step program for  
22      alcohol and drug abuse in 1990, with a relapse in 1992.

23                                    DISCIPLINARY CONSIDERATIONS

24            12.     To determine the degree of discipline, if any, to be imposed on Respondent,  
25      Complainant alleges that on or about June 20, 2006, in a prior disciplinary action entitled *In the*  
26      *Matter of the Petition to Revoke Probation Against Lisa Marie Horne*, before the Board of  
27      Vocational Nursing and Psychiatric Technicians, in Case No. 6403, Respondent surrendered her  
28      Vocational Nurse License No. VN 200260. The sustained allegations were as follows: (1)

1 failure to submit quarterly reports, (2) failure to submit work performance evaluations, (3)  
2 failure to meet employment requirements, (4) failure to obtain employment approval, (5) failure  
3 to complete educational course, and, (5) failure to submit quarterly reports for chemical  
4 dependency support.

5 PRAYER

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
7 and that following the hearing, the Board of Registered Nursing issue a decision:

8 1. Denying the application of Lisa Marie Horne, a.k.a. Lisa M. Beauchamp  
9 for a Registered Nurse License;

10 2. Taking such other and further action as deemed necessary and proper.

11 DATED: December 27, 2011

*for* *Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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